

**ZB# 86-3**

**Vanacore, DeBenedictus,  
DiGiovanni, & Weddell**

**4-1-24**

#86-3- Vanacore, De Benedictus<sup>Di Giovanni</sup> & Waddell - Spec. Permit

Prelim.  
7/27/86 (5)

Public Hearing:  
2/10/86.

Notice delivered to  
Sentinel on 1/29/86.

Pat. Collect \$50,000 App Fee

Ha  
Special Permit  
Granted on  
2/10/86

# General Receipt

7296

**TOWN OF NEW WINDSOR**

555 Union Avenue  
New Windsor, N. Y. 12550

*February 14,* 19 *86*  
*& Weddell*

Received of *Magacore, De Benedictus, Dr. Giovanni* \$ *50.00*

*Fifty and 00/100* DOLLARS

For *Zoning Application Fee*

DISTRIBUTION:

FUND	CODE	AMOUNT
<i>CK # 0556</i>		<i>50.00</i>

By *Pauline G. Townsend*

*Town Clerk*

Title

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X

In the Matter of the Application of

VANACORE, DE BENEDICTUS, DI GOVANNI  
& WEDDELL,

#86-3.

DECISION TO  
GRANT

SPECIAL PERMIT

-----X

WHEREAS, VANACORE, DE BENEDICTUS, DI GOVANNI & WEDDELL, certified public accounts having an office at 429 Little Britain Road, New Windsor, New York, have made application for a special permit for the purposes of:

Locating a temporary office trailer to the rear of existing operation in a PI zone;

WHEREAS, a public hearing was held on the 10th day of February, 1936 at the Town Hall, 555 Union Avenue, New Windsor, N. Y.; and

WHEREAS, the applicant partner, Joseph Vanacore, was present acting in behalf of his firm; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant intends to locate a temporary office trailer to the rear of existing building in a PI zone.

3. The evidence shows that applicant intends to either construct an addition to the said existing building or find a more suitable location within which to operate.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The proposal as presented will not cause substantial change in the neighborhood since the area is zoned for commercial businesses.

2. The proposal as presented will not endanger the safety, health, comfort and convenience of nearby residents and will not be hazardous to the health of nearby residents.

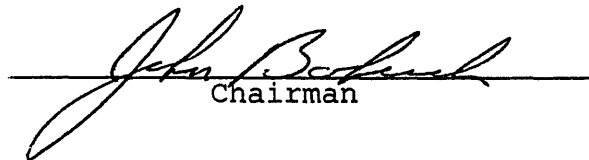
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grants a special permit as requested by the applicant in accordance with the sketch submitted at the public hearing with the restriction that the temporary trailer be placed on the site within one (1) month of site plan approval by Planning Board.\*

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: February 24, 1986.

  
Chairman

\* Not to exceed 6 months.



# TOWN OF NEW WINDSOR *file*

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

February 11, 1986

1763

Mr. Joseph Vanacore  
VANACORE, DE BENEDICTUS, DI GOVANNI & WEDDELL  
429 Little Britain Road  
New Windsor, N. Y. 12550

RE: APPLICATION FOR SPECIAL PERMIT  
#86-3

Dear Mr. Vanacore:

This is to confirm that a public hearing was held regarding the above-entitled application before the Zoning Board of Appeals. The Board voted to grant the above request for special permit. This decision was made at the February 10, 1986 meeting.

Formal decision will be drafted at a later date and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

PATRICIA DELIO  
Secretary to Zoning Bd. of Appeals

/pd

cc: Town Building Inspector  
Planning Board

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 86-3

Date: 1/28/86

I. Applicant Information: VANACORE, DE BENEDICTUS, DI GOVANNI & WEDDELL

- (a) 429 Little Britain Road, New Windsor, N.Y. x  
(Name, address and phone of Applicant) (Owner)
- (b) -  
(Name, address and phone of purchaser or lessee)
- (c) -  
(Name, address and phone of attorney)
- (d) -  
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☐ Area Variance ☒ Special Permit

III. Property Information:

- (a) PI 429 Little Britain Road 4-1-24 152 x 295  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? none
- (c) Is a pending sale or lease subject to ZBA approval of this application? n/a
- (d) When was property purchased by present owner? 11/5/80
- (e) Has property been subdivided previously? no When? -
- (f) Has property been subject of variance or special permit previously? no When? -
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? Yes
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: n/a

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section       , Table of        Regs., Col.       , to allow:  
(Describe proposal)

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	/	/
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

\* Residential Districts only

\*\* Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

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VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.



- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section 48-9, Table of Use Regs., Col. B.
- (b) Describe in detail the use and structures proposed for the special permit.

Applicant proposes the placement of a temporary office trailer to the rear of existing office located in a PI zone. The duration of the temporary trailer will be six (6) months so that applicant may construct an addition to existing offices.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Since the temporary office trailer is proposed to be placed to the rear of the existing office, it will not be visible from the highway. Additional parking will be provided through adjacent lot.

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IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ 50.00 payable to TOWN OF NEW WINDSOR.
- ☐ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date Jan. 28, 1986.

STATE OF NEW YORK )  
COUNTY OF ORANGE ) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Thomas C. DeBenedictis  
(Applicant)

Sworn to before me this

28th day of January, 1986.

PATRICIA DELIO  
NOTARY PUBLIC, State of New York  
No. 5970775  
Qualified in Orange County  
Commission Expires March 30, 1987.

XI. ZBA Action:

- (a) Public Hearing date \_\_\_\_\_.
- (b) Variance is \_\_\_\_\_.
- Special Permit is \_\_\_\_\_.
- (c) Conditions and safeguards: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY  
RESOLUTION OF ZONING BOARD OF APPEALS.

Prelim. (5)  
1/27/86

TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

86-3.

File No. ....

Date 1/22/1986

To VANACORE DE BENEDICTUS + MASTERSON - 561-8600  
429 LITTLE BRITIAN RD

PLEASE TAKE NOTICE that your application dated 1/22/1986  
for permit to <sup>Temp.</sup> OFFICE TRAILER  
at the premises located at 429 LITTLE BRITIAN

is returned herewith and disapproved on the following grounds:

USE BY SPECIAL PERMIT OF BOARD OF APPEALS  
TABLE OF USE REGULATIONS - (for 6 mos. period)  
COL B (P.2)

Sec. 48-9- Table of Use Regs. - Col. B.

Michael Babcock

Building Inspector

Requirements  
Min. Lot Area

Proposed or  
Available

Variance  
Request

ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

86-3.

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Date 1/22/, 1986

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COL B (P.2)

Sec. 48-9- Table of Use Regs. - Col. B.

Michael Babcock

Building Inspector

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio**		

\* Residential Districts only

\*\* Non-residential districts only

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....  
Approved.....19.....  
Disapproved a/c.....  
Permit No. ....

Office of Building Inspector  
Michael L. Babcock  
Town Hall, 555 Union Avenue  
New Windsor, New York 12550  
Telephone 565-8807

Refer —  
Planning Board.....  
Highway.....  
Sewer .....  
Water .....  
Zoning Board of Appeals .....

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....11/22/86.....19.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

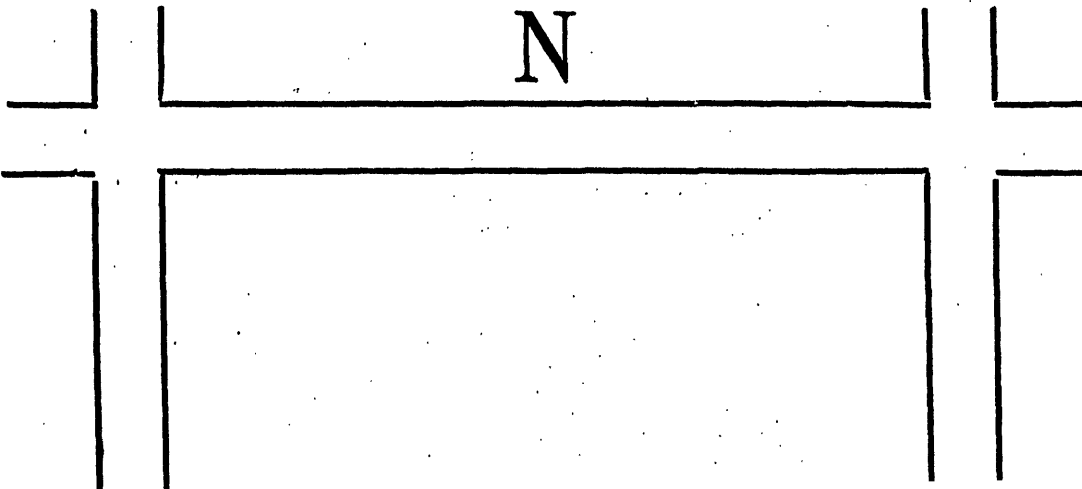
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

.....  
(Signature of Applicant)

.....  
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.  
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer —  
Planning Board.....  
Highway.....  
Sewer.....  
Water.....  
Zoning Board of Appeals .....

APPLICATION FOR BUILDING PERMIT  
Pursuant to New York State Building Code and Town Ordinances

Date... 11/22/86 ...19...

INSTRUCTIONS

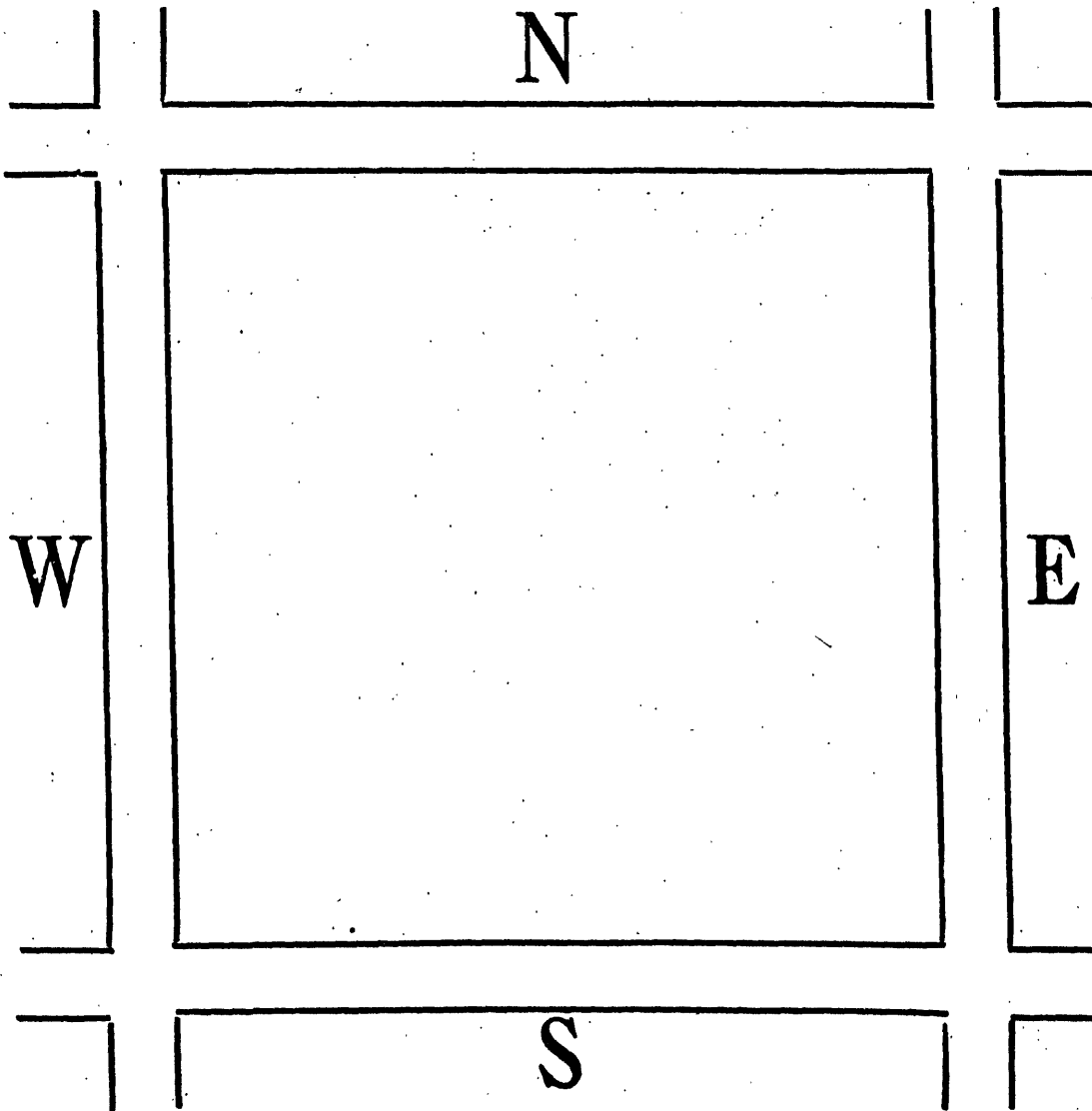
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.....  
(Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.  
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Name of Owner of Premises ANACORE DE BENEDICTUS Y MATERSON  
Address 429 LITTLE BRITAIN RD Phone 5618600

Name of Architect.....

Address..... Phone .....

Name of Contractor .....

Address..... Phone .....

State whether applicant is owner, lessee, agent, architect, engineer or builder..... owner

If applicant is a corporation, signature of duly authorized officer.

.....  
(Name and title of corporate officer)

1. On what street is property located? On the EAST side of LITTLE BRITAIN  
(N. S. E. or W.)

and .....feet from the intersection of.....

2. Zone or use district in which premises are situated..... PD

3. Tax Map description of property: Section..... 4 Block..... 1 Lot..... 24

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy OFFICE b. Intended use and occupancy OFFICE

5. Nature of work (check which applicable): New Building..... Addition..... Alteration..... Repair..... Removal.....

Demolition..... Other... MOBILE OFFICE TRAILER

6. Size of lot: Front..... Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....

Is this a corner lot?.....

7. Dimensions of entire new construction: Front..... 10' x 36' Rear..... Depth..... Height..... Number of stories..... 1

8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....

Number of bedrooms..... Baths..... Toilets.....

Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....

If Garage, number of cars.....

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

10. Estimated cost lease Fee .....  
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

### IMPORTANT

#### REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

Name of Contractor .....

Address ..... Phone .....

State whether applicant is owner, lessee, agent, architect, engineer or builder..... OWNER

If applicant is a corporation, signature of duly authorized officer.

.....  
(Name and title of corporate officer)

1. On what street is property located? On the EAST side of LITTLE BRITAIN  
(N. S. E. or W.)

and .....feet from the intersection of.....

2. Zone or use district in which premises are situated..... PJ

3. Tax Map description of property: Section..... 4 Block..... 1 Lot..... 24

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy OFFICE b. Intended use and occupancy OFFICE

5. Nature of work (check which applicable): New Building..... Addition..... Alteration..... Repair..... Removal.....

Demolition..... Other... MOBILE OFFICE TRAILER

6. Size of lot: Front..... Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....

Is this a corner lot?.....

7. Dimensions of entire new construction: Front..... 18' x 36' Rear..... Depth..... Height..... Number of stories..... 1

8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....

Number of bedrooms..... Baths..... Toilets.....

Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....

If Garage, number of cars.....

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

10. Estimated cost ..... LEASE Fee .....  
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

### IMPORTANT

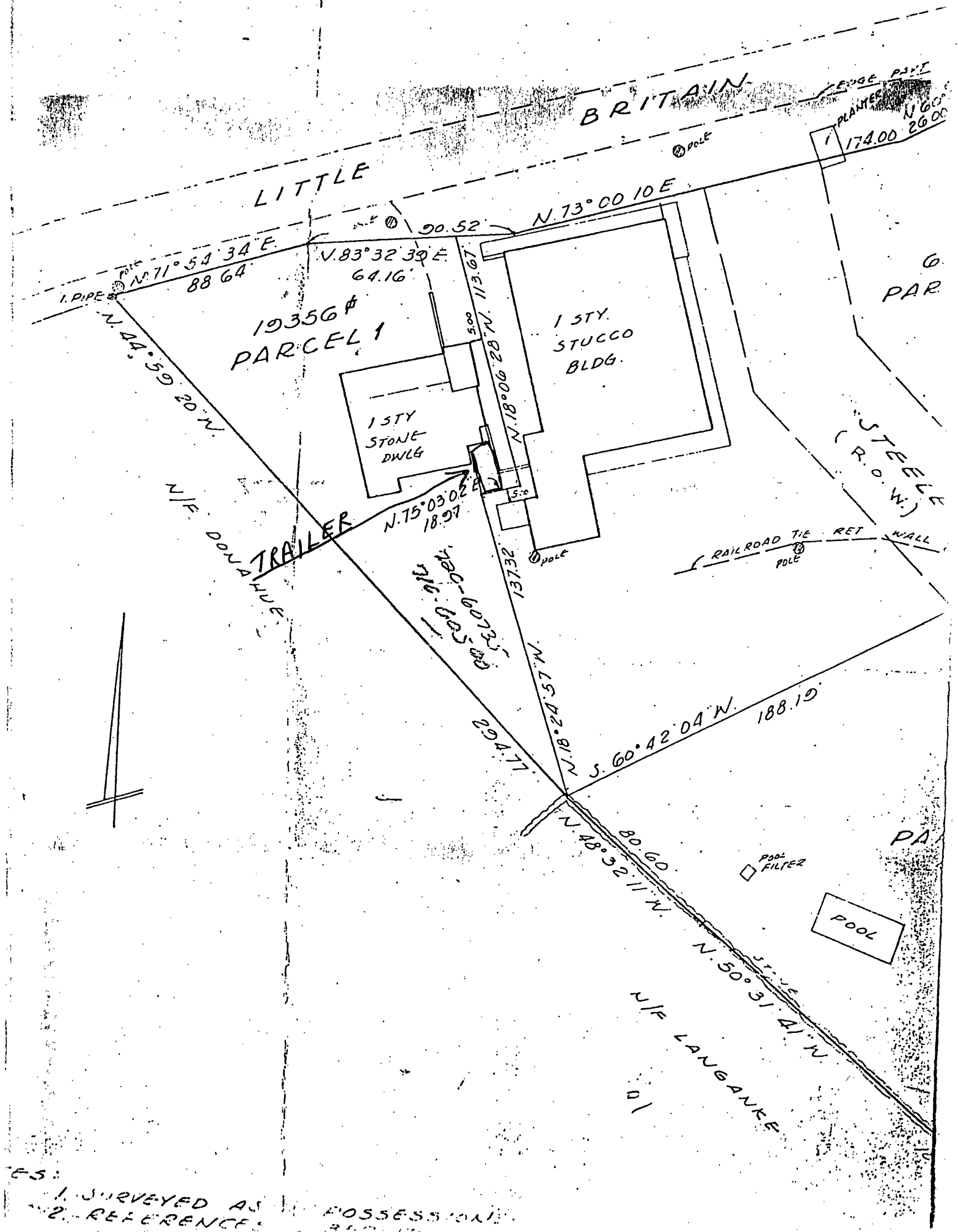
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#### CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-When excavating is complete and footing forms are in place (before pouring).
- 2-Foundation Inspection - check here for waterproofing and footing drains.
- 3-Inspect gravel base under concrete floors, and underslab Plumbing.
- 4-When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5-Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.







1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

January 24, 1986

Joseph A. Vanacore, Esq.  
429 Little Britain Rd.  
New Windsor, NY 12550

11

Re: 4-1-24

Dear Mr. Vanacore:

According to my records, the following list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$35.00. Please remit the same to the Town Clerk, Town of New Windsor.

Very truly your,

*Christian E. Jahrling* /po  
CHRISTIAN E. JAHRLING, TAO  
SOLE ASSESSOR

CEJ/po  
Attachment



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

The City of Newburgh X  
Newburgh, NY 12550

Miller, Millicent R. & Alfred H.  
416 Little Britain Rd.  
New Windsor, NY 12550

MacBeth Corporation  
PO Box 950 X  
Newburgh, NY 12550

Owejan, Peter M. & Sharon L.  
419 Little Britain Rd. X  
New Windsor, NY 12550

Smiley, William H. & Winifred H.  
& Orie W. & Ralph O. X  
c/o Gertrude Smiley X  
421 Little Britain Rd.  
New Windsor, NY 12550

Weiner, Elliott M. &  
Loeb, James R. & X  
Rider, David L. &  
Drake, Richard J.  
427 Little Britain Rd.  
New Windsor, NY 12550

Langanke, Herbert & Frieda  
435 Little Britain Rd. X  
New Windsor, NY 12550

Newburgh Superior Packing Co., Inc.  
439 Little Britain Rd. X  
New Windsor, NY 12550

Scheible, Otto & Nadle, Harold  
439 Little Britain Rd. X  
New Windsor, NY 12550

Pietrazk, Elaine X  
Steele Road  
New Windsor, NY 12550

Clark, Harry E.  
c/o Irene S. Clark X  
441 Little Britain Rd.  
New Windsor, NY 12550

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
TOWN BUILDING/ZONING INSPECTOR BABCOCK

FROM: ZONING BOARD OF APPEALS

RE: PUBLIC HEARING BEFORE THE ZBA - 2/10/86

DATE: January 30, 1986

Please be advised that the following public hearings will be heard before the Zoning Board of Appeals on the above date:

VANACORE, DE BENEDICTUS, DI GOVANNI &  
WEDDELL - special permit

SEVENES (a partnership) request for use  
variance

I have attached hereto copies of the pertinent applications together with public hearing notices which were published in The Sentinel.

Patricia Delio, Secretary  
Zoning Board of Appeals

/pd

Attachments

PUBLIC NOTICE OF HEARING BEFORE

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 3

Request of VANACORE, DE BENEDICTUS, DI GIOVANNI & WEDDELI

for a ~~VARIANCE~~ SPECIAL PERMIT of the regulations of the Zoning Ordinance to permit the placement of a temporary office trailer to the rear of permanent structure,

being a ~~VARIANCE~~ SPECIAL PERMIT of Section 48-9 - Table of Use Regs. - Col B

for property situated as follows:

429 Little Britain Road, New Windsor, N. Y.

SAID HEARING will take place on the 10th day of February, 1986, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock P. M.

JOHN BABCOCK  
Chairman